

March 7, 2011

Mr. T. Christian Herren, Jr.
Chief, Voting Section
Civil Rights Division
Department of Justice
950 Pennsylvania Ave., N.W.
Room 7254 - NWB
Washington, DC 20530

Dear Mr. Herren:

Please consider the information herein as part of your evaluation of Senate Bill 14, the Texas Voter ID law.

In that bill, the state creates a free "election identification certificate", to be made available to persons without more common forms of photo identification such as driver's licenses or state IDs. This is to be offered at no charge, in an attempt to mitigate the potentially discriminatory nature of the bill's requirements (research suggests that older people and certain ethnic minorities are more likely to lack a driver's license or state ID and therefore will be disproportionately affected by the new photo ID requirement for voting). Based on my personal experience, as well as a comparison of Texas' means of issuing the new certificate to Georgia's, I submit that the "election identification certificate" will be ineffective at reducing the discriminatory effect of the Texas law.

Information provided by the Texas Department of Public Safety (DPS) shows that over the last 13 months the wait time at the Downtown Dallas Driver License Office has ranged from 39 minutes to 1 hour and 33 minutes, with times exceeding an hour in 7 of those 13 months. Given that the office is open only on weekdays, during normal business hours, even that amount of waiting is a likely deterrent to getting the new certificate. However, input from constituents and my experience at the downtown office suggests that DPS' figures understate the amount of time a person will be required to invest to get an election identification certificate.

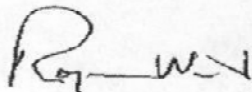
Immediately following the Christmas holiday, my office began to receive - mostly via email and phone calls - a higher than normal number of complaints from constituents regarding long lines at area DPS

Driver License offices. These contacts peaked on Friday, February 3, when my District Office was deluged with calls over the period of a few hours. I decided to get a first-hand look by going to the DPS - Dallas City Hall location. Because people there had been in line for three to four hours, I called Dallas Mayor Mike Rawlings to ask him to keep City Hall open after normal hours of operation (he graciously agreed to do this). I also contacted DPS officials, who had to send additional personnel to process the remaining applicants, who would otherwise have had to return another day to receive service. These people were helped, after spending much longer in line than DPS would have you believe, only because I intervened. As my other obligations as state senator will not allow me to routinely drop in on DPS Driver License Offices to assess wait times, I believe that they will continue to be an impediment to obtaining *any* form of identification, including the election ID, and that the mere fact that it is technically available will not adequately mitigate the discriminatory impact of the voter photo ID requirement.

Consider also the Georgia approach. Georgia's Voter ID law has been precleared. Like Texas, they make a free identification card available for the purpose of voting. The key distinction is that Georgia, in addition to offering the card through their version of the DPS, the Georgia Department of Driver Services (DDS), also allows people to apply for the card at local county registrar's offices. Through 2011, the State of Georgia has provided ten times (25,970) the number of free Voter ID cards through the county offices than through the DDS (around 2,000). Clearly, Georgia's citizens, by a considerable margin, prefer an option for obtaining a free election ID that does not exist in Texas. This strongly suggests that the Texas plan for offering free election identification certificates will not succeed in reducing the discriminatory effect of its Voter ID law.

I hope you find this information useful in your consideration of the Texas Voter ID law. Thank you for your consideration.

Sincerely,



Honorable Royce West
Texas State Senator, District 23